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To: gterry@bakersfieldpd.us
Subject: PERF Daily Clips: All that"s left to overhaul California"s police use-of-force law is Gavin Newsom"s signature
Date: Wednesday, July 10, 2019 4:17:12 AM

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PERF Daily Clips - July 10, 2019

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USE OF FORCE

Sacramento Bee: All that's left to overhaul California's police use-of-force law is Gavin Newsom's signature

A measure that would make California's law governing police use of force one of the strictest in the country cleared the Legislature late Monday and is on its way to Gov. Gavin Newsom's desk.

Assembly Bill 392 passed the Senate floor on Monday afternoon in the final leg of a yearlong process to elevate California's deadly force law from when officers think it's "reasonable" to only when "necessary."

The Democratic governor is expected to sign the measure. He called it "an important bill" that will "help restore community trust in our criminal justice system" in late May.

AB 392 allows officers to employ lethal force "based on the totality of the circumstances," but it defines "necessary" as when officers or the public face an imminent threat of death or serious bodily harm.

The bill would require evaluating an officer's conduct before and after deadly force is used and whether deescalation techniques were attempted as an alternative, but would allow managers to consider "all facts known to the peace officer at the time."

Monday's 29-1 vote contrasted with the rocky reception Assemblywoman Shirley Weber encountered when she introduced the bill in February.

TECHNOLOGY

New York Times: As cameras track Detroit's residents, a debate ensues over racial bias

Twenty-four hours a day, video from thousands of cameras stationed around Detroit, at gas stations, restaurants, mini-marts, apartment buildings, churches and schools, streams into the Police Department's downtown headquarters.

In recent weeks, a public outcry has erupted over a less-touted tool employed in conjunction with the cameras: software that can, in a matter of seconds, suggest the identities of the anonymous people captured on video.

The facial recognition program matches the faces picked up across the city against 50 million driver's license photographs and mug shots contained in a Michigan police database. The practice has attracted public attention recently as the department seeks approval for a formal policy governing its use from a civilian oversight board.

In Detroit, whose share of black residents is larger than in any other sizable American city, it is a racial disparity in the performance of facial recognition technology that is a primary source of consternation.

When James White, an assistant police chief in charge of the Detroit Police Department's technology, rose to respond to critics at a public hearing, he provided unexpected backup to the charge that the software comes with baked-in bias. He himself, the assistant chief said, had been misidentified as other African-American men by the facial recognition algorithm that Facebook uses to tag photos.

"On the question of false positives - that is absolutely factual, and it's well-documented," he said. "So that concerns me as an African-American male."

The solution, Chief White said, is to exercise extra care.

OFFICER DEATHS

ABC News: 'Beloved' Georgia sheriff's deputy gunned down during chase leaves behind young sons

A young Georgia sheriff's deputy has left behind a 9-year-old son and 4-month-old son after he was gunned down in the line of duty Sunday night, authorities said.

"He was always the type of individual that ran towards the danger and wanted to make thing better," Sheriff Gerald Couch said.

Deputies were trying to stop a stolen car believed to be involved in a gun theft when the suspects led them on a pursuit, Couch said at a news conference on Monday.

The suspects got out of the car and fled, and Hall County Sheriff's Deputy Nicolas Dixon followed one suspect behind a home, the sheriff said. After refusing to follow Dixon's commands to show his hands, the suspect opened fire, Couch said.

MASS SHOOTINGS

Washington Post: To help police respond better to active attacks, these students volunteer to shoot at them for class credit

On a Friday afternoon in April, Texas State University freshman Kendyl Cutshall stopped by a research facility near campus to shoot a police officer for class credit. Inside a simulated classroom building at the Advanced Law Enforcement Rapid Response Training (ALERRT) center near the Central Texas town of San Marcos, she donned protective eyewear as doctoral student Aaron Duron explained the scenario.

"You've committed a crime, and you've run from the police," he said, handing her a modified 9mm Glock pistol that fires marking cartridges filled with blue detergent. "You're thinking that if you shoot the responding officer, you'll go home instead of going to prison. And you've only got one shot."

ALERRT is one of a few centers in the country that not only analyzes active-attack events and trains law enforcement to respond to them, but also tests specific policing techniques and incorporates the results in its training protocol, which has been adopted by the FBI and major cities such as Houston and Miami. The tests are important because active-attack response courses tend to be based on the expertise of career SWAT officers - who, having been trained by different police departments, sometimes disagree about which technique is most effective in a given scenario. ALERRT's director of research, Hunter Martaindale, and his colleagues use the scientific method to settle debates over what works better.

GUN VIOLENCE

New York Daily News: 'It's supposed to mean something' - Mayor and top cops say second-chance sentencing program undermines gun arrests

A popular alternative-to-prison program is giving offenders in Brooklyn a genuine second chance - to commit more gun crimes and put the public at risk, the mayor and his top cops said Monday.

New crime stats show that 35% of the city's total number of gun arrests through the first six months of the year occurred in four precincts in northern Brooklyn, and the district attorney's diversion program isn't helping.

"The men and women of the Police Department put their lives on the line to get these guns off the streets. It's supposed to mean something," Mayor de Blasio said at a news conference.

According to NYPD officials, the average sentence for a gun arrest in Brooklyn is 327 days, the lowest of the city's five boroughs.

GUN VIOLENCE

Philadelphia Inquirer: Could a new Pa. law strip control over gun prosecutions from Philly DA Larry Krasner?

As public debate rages over Philadelphia's gun violence epidemic, state legislators have quietly passed a law that targets the city, giving the state Attorney General's Office equal jurisdiction to the district attorney in prosecuting certain gun-related cases.

The provision, included in a bill signed into law by Gov. Tom Wolf last week, was proposed by State Rep. Martina White, a Republican from Northeast Philadelphia and an ally of the city police union, which has frequently criticized District Attorney Larry Krasner over his stated goal of reducing incarceration. The provision sunsets in two years, a few months before the end of Krasner's first term.

GUN VIOLENCE

Baton Rouge (LA) Advocate: In Baton Rouge, a greater sense of urgency as nonfatal shootings climb 28 percent

Even as he sought to reassure residents alarmed after a recent spike in gun violence, Baton Rouge Police Chief Murphy Paul said Monday he remains concerned about a notable increase in nonfatal shootings over the past few months.

He said the department recorded about 28 percent more nonfatal shooting victims within the first six months of 2019 compared to the same period in 2018. Paul commented on the issue while speaking to reporters Monday afternoon at the Baton Rouge Press Club, saying the numbers are concerning.

BODY-WORN CAMERAS

Connecticut Public Radio: Behind the body camera: the ethics, adoption and impact of recording police interactions

As public interest in fatal police use of force continues, a growing number of police departments have begun using body-worn cameras as tools for transparency and documentation of civilian interactions.

And while recent research shows their impact might not be having the expected effect, according to a 2016 Department of Justice report, 47% of law enforcement agencies had acquired body cameras. Some states, like Connecticut, offer grant-funding to departments looking to purchase cameras for their officers.

The Connecticut program began in 2016 but since then, only 36 of the state's 97 departments have taken advantage of the funding.

BODY-WORN CAMERAS

Reston (VA) Now: Local pilot body camera program for police yields mixed results

The results of an analysis on the county's pilot body-worn camera program are officially in. Researchers at American University found that the six-month pilot project could have limited results in enhancing policy-community relations increasing police legitimacy and accountability.

In a 119-page report that uses survey data from residents and police officers, researchers found that people had "modest expectations" about the necessity and benefit of body-worn cameras.

Less than half of survey respondents and interviewees noted that the devices would reduce complaints against officers, improve legitimacy or increase police accountability. Police officers also noted that it was unlikely that the devices would change their behavior or how community members responded to the police department.

Researchers did not find any statistically significant changes in officer behavior and performance once the devices were deployed. They also found that respondents were unconvinced that the cameras would lessen the use of force by police.

DIVERSION

Associated Press: California diversion program lets victims confront offenders

California officials are experimenting with a new diversion program for criminals that includes allowing victims to directly confront their offenders.

The budget that took effect July 1 includes $5 million to fund the program for five years in a county with a history of high crime, although it has been tried elsewhere and is more frequently used with juvenile offenders.

The California program is for offenders of any age. It will pair victims and offenders before they are convicted, and offenders who complete the program can avoid having a criminal record.

Proponents said Monday that what are known as restorative justice programs can help survivors heal, while helping offenders avoid committing new crimes in part because they don't face the stigma of a criminal conviction.

FOX 31 Denver: Denver first responders could soon carry canned goods to help the hungry

Denver leaders are trying to make the city safer. Director of Public Safety Troy Riggs says one of those ingredients is fixing food insecurity.

"How can you succeed if you're hungry?" Riggs said. "You're not getting the medical care you need, you're not getting the education you need. We know it has those damaging effects when people don't have food."

That's why Denver Public Safety plans to have police officers and firefighters carry non-perishable food in their units. The plan would be to pick the food up at local partners like food pantries and churches, and be stocked in case they see a need in the community.

"That if they run across someone that's having a crisis and realize that they're food insecure, we can leave that food but more importantly, put them in contact with another provider to help them long-term," Riggs said.

IMMIGRATION

Charlotte Observer: Tillis to NC counties: Comply with ICE detainers or face lawsuits from victims

North Carolina's fight over sheriffs' cooperation with federal immigration officials has gone national.

U.S. Sen. Thom Tillis, a North Carolina Republican, introduced legislation Tuesday that would compel local law enforcement officials to comply with detainer requests made by federal authorities or face possible civil action by victims and/or the loss of federal grants.

Tillis's bill - the Justice for Victims of Sanctuary Cities Act - comes as Republican state lawmakers are trying to pass a bill of their own to compel cooperation between county sheriffs and the Immigration and Customs Enforcement. House Bill 370 would require local law enforcement to hold prisoners subject to ICE detainers.

Gov. Roy Cooper, a Democrat, has called the bill unconstitutional, suggesting he would veto it.

CONSENT DECREES

Youngstown (OH) Vindicator: Justice Department, Warren improve police department

U.S. Justice Department oversight of the Warren Police Department that began around 2004 is apparently coming to an end.

The Justice Department and city of Warren jointly asked federal Judge Benita Y. Pearson in Youngstown last week to terminate a settlement agreement between the parties signed in 2012 that required the city to improve in its "pattern or practice of excessive force" against citizens. She is expected to grant the motion.

For eight years before the consent agreement, the Justice Department investigated and monitored the city's police department following citizen complaints about unconstitutional policing.

Since 2012, the city has improved its policies and practices, including use of force policy, civilian complaints process, management and supervision, and training, the motion says. The city came fully into compliance in 2016 and has continued to comply the last two years, as required, the motion says.

SEXUAL OFFENSES

Globe and Mail: Thousands of Canadian transit passengers target of sexual violence between 2013 and 2017, Globe analysis finds

According to The Globe's examination, almost 4,000 incidents of sexual assault or harassment were recorded on Canada's 22 largest systems between 2013 and 2017. Ninety per cent of the incidents were perpetrated against women by men. A separate set of data from the Canadian Centre for Justice Statistics, focused solely on criminal activity, reveals that across the country, 507 incidents of sexual crimes on public transit involved passengers under the age of 18 during the same period.

The Globe's analysis, based on statistics obtained through dozens of Freedom of Information requests, offers the most comprehensive examination of sexual violence on the country's municipal buses, trains and subways. No national study of the issue has ever been done.

ASSET FORFEITURE

Hawaii Public Radio: Governor expected to veto reform of controversial police funding program

State lawmakers voted to restrict the ability of law enforcement to seize private property and sell it at auction. Gov. David Ige says the reforms are unnecessary.

The program is known as civil asset forfeiture. Some form of asset forfeiture is used in all 50 states as a way to seize the financial and physical assets of criminals.

But only a handful of states require a criminal conviction before property can be taken by police. In most jurisdictions, police only need to demonstrate probable cause to initiate a seizure.

In many cases a conviction never comes. Between 2006 and 2015, more than $11 million worth of private property in Hawaii was seized by police. In 26% of those cases, no criminal charges were filed, according to a 2018 report from the state auditor.

In announcing in June his intent to veto the civil asset forfeiture reform measure, Ige said he believed Hawaii's police use the practice responsibly.

POLICE EXECUTIVE APPOINTMENTS

Lansing (MI) State Journal: Lansing police chief announces retirement from department

The chief of the Lansing Police Department has announced his retirement, just one month after he was named a finalist before taking himself out of the running for another leadership position in Grand Rapids.

Chief Mike Yankowski, a 25-year veteran with the department, has been chief since 2013. His last day as chief will be July 31.

POLICE EXECUTIVE APPOINTMENTS

CBS Detroit: Deputy Detroit police chief named Southfield police chief

Following a national search, Southfield City Council approved Deputy Detroit police chief Elvin Barren's appointment as police chief Monday.

Barren will start his new job July 29.

Barren oversaw day-to-day operations of four precincts, the Tactical Response Unit, Special Response Team, bomb squad and other units in his 21 years with the Detroit Police Department.

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